



CAUSE NO. D-20-1511-CR COUNT NO. ONE

INCIDENT NO. /TRN: 9291341088 TRS: A001

THE STATE OF TEXAS

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IN THE 358TH DISTRICT COURT

V.

OF

ASHLEY SCHWARZ

ECTOR COUNTY, TEXAS

STATE ID No.: TX-10910065

JUDGMENT OF CONVICTION BY JURY

Judge Presiding:	JOHN SHRODE	Date Sentence Imposed:	05/01/2023
Attorney for State:	WILLIAM PRASHER CARMEN VILLALOBOS	Attorney for Defendant:	SCOTT LAYH
<u>Offense for which Defendant Convicted:</u>			
CAPITAL MURDER OF PERSON UNDER TEN YEARS OLD			
<u>Charging Instrument:</u>		<u>Statute for Offense:</u>	
INDICTMENT		19.03 Penal Code	
<u>Date of Offense:</u>		<u>Plea to Offense:</u>	
08/29/2020		GUILTY	
<u>Degree of Offense:</u>			
CAPITAL FELONY			
<u>Verdict of Jury:</u>		<u>Findings on Deadly Weapon:</u>	
GUILTY		N/A	
<u>1st Enhancement Paragraph:</u>		<u>Finding on 1st Enhancement Paragraph:</u>	
N/A		N/A	
<u>2nd Enhancement Paragraph:</u>		<u>Finding on 2nd Enhancement Paragraph:</u>	
N/A		N/A	
<u>Punishment Assessed by:</u>		<u>Date Sentence Commences:</u> (Date does not apply to confinement served as a condition of community supervision.)	
JURY		05/01/2023	
<u>Punishment and Place of Confinement:</u>			
LIFE TDCJ, CORRECTIONAL INSTITUTIONS DIVISION			
THIS SENTENCE SHALL RUN: CONCURRENTLY WITH D-20-1511-CR COUNT TWO (2) AND D-20-1511-CR COUNT THREE (3) .			
<input type="checkbox"/> SENTENCE OF CONFINEMENT SUSPENDED, DEFENDANT PLACED ON COMMUNITY SUPERVISION FOR . (The document setting forth the conditions of community supervision is incorporated herein by this reference.)			
<input type="checkbox"/> Defendant is required to register as sex offender in accordance with Chapter 62, Tex. Code Crim. Proc. (For sex offender registration purposes only) The age of the victim at the time of the offense was N/A .			
<u>Fines:</u>		<u>Restitution:</u>	
\$ 0.00		\$ 0.00	
<u>Court Costs:</u>		<u>Restitution Payable to:</u>	
\$ 290.00		\$ 285.00	
<u>Was the victim impact statement returned to the attorney representing the State?</u> NO			
<u>(FOR STATE JAIL FELONY OFFENSES ONLY) Is Defendant presumptively entitled to diligent participation credit in accordance with Article 42A.559, Tex. Code Crim. Proc.?</u> N/A			

Total Jail

Time Credit:

204 DAYS

If Defendant is to serve sentence in county jail or is given credit toward the fine and costs, enter days credited below.

N/A DAYS

NOTES: N/A

This cause was called for trial by jury and the parties appeared. The State appeared by her District Attorney as named above.

Counsel / Waiver of Counsel (select one)

- Defendant appeared with counsel.
 Defendant appeared without counsel and knowingly, intelligently, and voluntarily waived the right to representation by counsel in writing in open court.
 Defendant was tried in absentia.

Both parties announced ready for trial. It appeared to the Court that Defendant was mentally competent to stand trial. A jury was selected, impaneled, and sworn, and Defendant entered a plea to the charged offense. The Court received the plea and entered it of record.

The jury heard the evidence submitted and argument of counsel. The Court charged the jury as to its duty to determine the guilt or innocence of Defendant, and the jury retired to consider the evidence. Upon returning to open court, the jury delivered its verdict in the presence of Defendant and defense counsel, if any.

The Court received the verdict and ORDERED it entered upon the minutes of the Court.

Punishment Assessed by Jury / Court / No election (select one)

- Jury.** Defendant entered a plea and filed a written election to have the jury assess punishment. The jury heard evidence relative to the question of punishment. The Court charged the jury and it retired to consider the question of punishment. After due deliberation, the jury was brought into Court, and, in open court, it returned its verdict as indicated above.
 Court. Defendant elected to have the Court assess punishment. After hearing evidence relative to the question of punishment, the Court assessed Defendant's punishment as indicated above.
 No Election. Defendant did not file a written election as to whether the judge or jury should assess punishment. After hearing evidence relative to the question of punishment, the Court assessed Defendant's punishment as indicated above.

In accordance with the jury's verdict, the Court ADJUDGES Defendant GUILTY of the above offense. The Court FINDS that the Presentence Investigation, if so ordered, was done according to the applicable provisions of Subchapter F, Chapter 42A, Tex. Code Crim. Proc.

The Court ORDERS Defendant punished in accordance with the jury's verdict or Court's findings as to the proper punishment as indicated above. After having conducted an inquiry into Defendant's ability to pay, the Court ORDERS Defendant to pay the fines, court costs, reimbursement fees, and restitution as indicated above and further detailed below.

Punishment Options (select one)

- Confinement in State Jail or Institutional Division.** The Court ORDERS the authorized agent of the State of Texas or the County Sheriff to take and deliver Defendant to the Director of the Correctional Institutions Division, TDCJ, for placement in confinement in accordance with this judgment. The Court ORDERS Defendant remanded to the custody of the County Sheriff until the Sheriff can obey the directions in this paragraph. Upon release from confinement, the Court ORDERS Defendant to proceed without unnecessary delay to the District Clerk's office, or any other office designated by the Court or the Court's designee, to pay or to make arrangements to pay any fines, court costs, reimbursement fees, and restitution due.
 County Jail—Confinement / Confinement in Lieu of Payment. The Court ORDERS Defendant committed to the custody of the County Sheriff immediately or on the date the sentence commences. Defendant shall be confined in the county jail for the period indicated above. Upon release from confinement, the Court ORDERS Defendant to proceed without unnecessary delay to the District Clerk's office, or any other office designated by the Court or the Court's designee, to pay or to make arrangements to pay any fines, court costs, reimbursement fees, and restitution due.
 Fine Only Payment. The punishment assessed against Defendant is for a FINE ONLY. The Court ORDERS Defendant to proceed immediately to the District Clerk's office, or any other office designated by the Court or the Court's designee, to pay or to make arrangements to pay the fine, court costs, reimbursement fees, and restitution ordered by the Court in this cause.
 Confinement as a Condition of Community Supervision. The Court ORDERS Defendant confined _____ days in _____ as a condition of community supervision. The period of confinement as a condition of community supervision starts when Defendant arrives at the designated facility, absent a special order to the contrary.

Fines Imposed Include (check each fine and enter each amount as pronounced by the court):

- General Fine (§12.32, 12.33, 12.34, or 12.35, Penal Code, Transp. Code, or other Code) \$ 0.00 (not to exceed \$10,000)
 Add'l Monthly Fine for Sex Offenders (Art. 42A.653, Code Crim. Proc.) \$ _____ (\$5.00/per month of community supervision)

- Child Abuse Prevention Fine (Art. 102.0186, Code Crim. Proc.) \$ (\$100)
- EMS, Trauma Fine (Art. 102.0185, Code Crim. Proc.) \$ (\$100)
- Family Violence Fine (Art. 42A.504 (b), Code Crim. Proc.) \$ (\$100)
- Juvenile Delinquency Prevention Fine (Art. 102.0171(a), Code Crim. Proc.) \$ (\$50)
- State Traffic Fine (§ 542.4031, Transp. Code) \$ (\$50)
- Children's Advocacy Center Fine - as Cond of CS (Art. 42A.455, Code Crim. Proc.) \$ (not to exceed \$50)
- Repayment of Reward Fine (Art. 37.073/42.152, Code Crim. Proc.) \$ (To Be Determined by the Court)
- Repayment of Reward Fine - as Cond of CS (Art. 42A.301 (b) (20), Code Crim. Proc.) \$ (not to exceed \$50)
- DWI Traffic Fine (a/k/a Misc. Traffic Fines) (§ 709.001, Transp. Code) \$ (not to exceed \$6,000)

Execution of Sentence

The Court **ORDERS** Defendant's sentence **EXECUTED**. The Court **FINDS** that Defendant is entitled to the jail time credit indicated above. The attorney for the state, attorney for the defendant, the County Sheriff, and any other person having or who had custody of Defendant shall assist the clerk, or person responsible for completing this judgment, in calculating Defendant's credit for time served. All supporting documentation, if any, concerning Defendant's credit for time served is incorporated herein by this reference.

Furthermore, the following special findings or orders apply:

The Court enters an affirmative finding that Defendant's offense involved family violence, as defined by Section 71.004, Family Code.

Defendant agrees to forfeit to the Ector County District Attorney's Office or have to be destroyed by the arresting agency the weapon(s) in <agency name > <case number> to wit: <Description of weapon>

Date Judgment Entered:

5/2/23

X 

JOHN SHRODE - JUDGE PRESIDING

NO. D-20-1511-CR; COUNT ONE

THE STATE OF TEXAS
VS
ASHLEY SCHWARZ

IN THE 358th District Court
OF
ECTOR COUNTY, TEXAS

JUDGMENT FINGERPRINT

In open Court and simultaneously with the conviction of the Defendant in the above styled and numbered cause, the Court now ORDERS the thumbprint of the Defendant herein to be placed in the space provided below, in accordance with Article 38.33 of the Texas Code of Criminal Procedure, and incorporated herein as a part of the Judgment in this cause for all purposes.

Taken by: *ys & co*

Title: *Dist. Court officer*

John J. Shrock

JUDGE PRESIDING

Dated: *5/1/23*



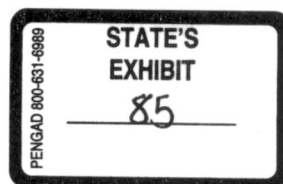
LEFT THUMB PRINT



RIGHT THUMB PRINT

DOB: 01/14/1986

TX-10910065



**BILL OF COSTS
AND STATEMENT OF JUDGMENT FINES AND FEES
District Courts
Ector County, Texas**

5/3/2023

<p style="text-align: center;">CAUSE NO. D-20-1511-CR- COUNT I</p> <p>THE STATE OF TEXAS vs. ASHLEY SCHWARZ</p>	<p>IN THE 358TH DISTRICT COURT OF ECTOR COUNTY, TEXAS</p>
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The following fines, fees, and costs are ordered and taxed against the defendant in the above entitled and numbered cause, to-wit:

COST CODE	COST DESCRIPTION	CHARGES	BALANCE
DC20-1SCC	STATE CONSOLIDATED COURT COSTS	185.00	185.00
DC20-2LCC	LOCAL CONSOLIDATED COURT COSTS	105.00	105.00

FINE CODE	FINE DESCRIPTION	CHARGES	BALANCE
SUBTOTAL	FINES	\$0.00	\$0.00

FEE CODE	REIMBURSEMENT FEE DESCRIPTION	CHARGES	BALANCE
DC20-17CW	Attach or Convey Witness	70.00	70.00
DC20-18CTJ	Commitment to Jail	5.00	5.00
DC20-18RFJ	Release from Jail	5.00	5.00
DC20-23SW	Serve Writ	35.00	35.00
DC20-24SUJ	Summon Jury	5.00	5.00
DC20-25SUW	Summon Witness	155.00	155.00
DC20-26TAB	Take and Approve Bond	10.00	10.00
SUBTOTAL	REIMBURSEMENT FEES	\$285.00	\$285.00

FEE CODE	COURT ORDERED RESTITUTION	CHARGES	BALANCE
SUBTOTAL	RESTITUTION	\$0.00	\$0.00

SUMMARY	State Consolidated Court Costs	\$185.00	\$185.00
SUBTOTALS:	Local Consolidated Court Costs	\$105.00	\$105.00
	Fines	\$0.00	\$0.00
	Revocation/Adjudication Fees, Fines, Etc.	\$0.00	\$0.00
	Reimbursement Fees	\$285.00	\$285.00

GRAND TOTAL:**	\$575.00	\$575.00
<i>Submit payment to: Ector County District Clerk</i>		

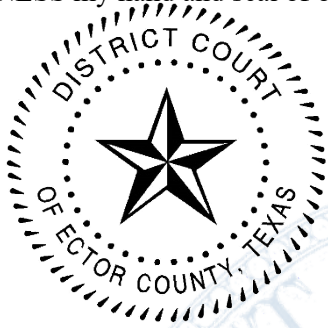
***If total court costs, fines, fees, and restitution are not paid within 30 days of the Judgment, an additional \$15.00 Time Payment Fee will be assessed. (LGC, § 133.103)*

NOTE: AN ADDITIONAL \$2.00 TRANSACTION FEE WILL BE ASSESSED ON EACH PAYMENT MADE. (CCP, Art. 102.072)

**BILL OF COSTS
AND STATEMENT OF JUDGMENT FINES AND FEES
District Courts
Ector County, Texas**

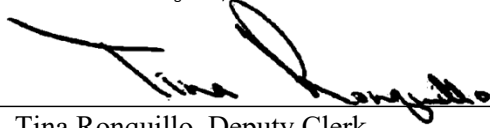
I, Clarissa Webster, Clerk of the District Courts in and for Ector County, Texas, do hereby certify the above and foregoing to be a true and correct account of the fines, reimbursement fees, and costs due in the above entitled and numbered cause as of this date.

WITNESS my hand and seal of office, at Odessa, Texas, on this the 3rd day of May, 2023.



CLARISSA WEBSTER
District Clerk of Ector County, Texas
300 North Grant Avenue, Room 301
Odessa, Texas 79761
(432) 498-4290

Signed: 5/3/2023 8:25:51 AM

By: 
Tina Ronquillo, Deputy Clerk

I have been advised of the fines, fees, and costs assessed as part of my judgment in the above Cause No. D-20-1511-CR.

Defendant Signature: _____ Attorney Signature: _____

